

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:07-CV-18-D

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
FIRST INVESTORS, LLC OF N.C.,)
and DAVID ROBERTS,)
)
Defendants.)

ORDER

On May 10, 2010, Magistrate Judge Gates issued a Memorandum and Recommendation ("M&R"). In that M&R, Judge Gates recommended that defendant Roberts' motion to set aside judgment [D.E. 24] be denied. No party filed objections to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quotation omitted) (emphasis removed) (alteration in original). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Id. (quotation omitted).

The court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court accepts the M&R. Defendant Roberts' motion to set aside judgment [D.E. 24] is DENIED.

SO ORDERED. This 2 day of July 2010.


JAMES C. DEVER III
United States District Judge